

Mail Stop Interference  
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Paper 1  
Filed: 19 August 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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SHLOMO **BEN-HAIM**, NISSIM DARVISH,  
YUVAL MIKA and MAIER FENSTER  
Junior Party  
(Patent 6,233,484),

v.

MORTON M. **MOWER**  
Senior Party  
(Application 10/053,750).

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Patent Interference No. 105,765 (SCM)  
(Technology Center 3700)

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**DECLARATION – Bd.R. 203(b)<sup>1</sup>**

1        **Part A. Declaration of interference**

2        An interference is declared (35 U.S.C. § 135(a)) between the above-  
3 identified parties. Details of the application(s), patent (if any), reissue

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<sup>1</sup> “Bd.R. x” may be used as shorthand for “37 C.F.R. § 41.x”. 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 application (if any), count(s) and claims designated as corresponding or as not  
2 corresponding to the count(s) appear in Parts E and F of this DECLARATION.

3 **Part B. Judge managing the interference**

4 Administrative Patent Judge Sally C. Medley has been designated to  
5 manage the interference. Bd.R. 104(a).

6 **Part C. Standing order**

7 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this  
8 DECLARATION. The STANDING ORDER applies to this interference.

9 **Part D. Initial conference call**

10 A telephone conference call to discuss the interference is set for **1:30 p.m.**  
11 **on 12 Oct. 2010** (the Board will initiate the call).

12 No later than **four business days** prior to the conference call, each party  
13 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd.R. 120;  
14 Bd.R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

15 A sample schedule for taking action during the motion phase appears as  
16 Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the  
17 schedule prior to the conference call and to agree on dates for taking action. A  
18 typical motion period lasts approximately eight (8) months. Counsel should be  
19 prepared to justify any request for a shorter or longer period.

**Part E. Identification and order of the parties**

Junior Party

Named Inventors: SHLOMO BEN-HAIM, Haifa, Israel  
NISSIM DARVISH, Haifa, Israel  
YUVAL MIKA, Haifa, Israel  
MAIER FENSTER, Petachtikva, Israel

Involved Patent: Patent 6,233,484, issued 15 May 2001, based on  
Application 09/254,994, filed 12 March 1999

Title: APPARATUS AND METHOD FOR  
CONTROLLING THE CONTRACTILITY  
OF MUSCLES

Assignee: MEDINVEST CAPITAL S.A R.L.

Senior Party

Named Inventors: MORTON M. MOWER, Baltimore, MD

Involved Application: Application 10/053,750, filed 21 Jan. 2002

Title: AUGMENTATION OF ELECTRICAL  
CONDUCTION AND CONTRACTILITY  
BY BIPHASIC CARDIAC PACING  
ADMINISTERED VIA THE CARDIAC  
BLOOD POOL

Assignee: MR3 MEDICAL, LLC

The senior party is assigned exhibit numbers 1001-1999. The junior party  
is assigned exhibit numbers 2001-2999. Bd.R. 154(c)(1); SO ¶ 154.2.1. The  
senior party is responsible for initiating settlement discussions. SO ¶ 126.1.



1       **Part G. Heading to be used on papers**

2       The following heading must be used on all papers filed in this  
3       interference, see SO ¶ 106.1.1:

4               UNITED STATES PATENT AND TRADEMARK OFFICE  
5               \_\_\_\_\_

6               BEFORE THE BOARD OF PATENT APPEALS  
7               AND INTERFERENCES  
8               \_\_\_\_\_

9               SHLOMO BEN-HAIM, NISSIM DARVISH,  
10              YUVAL MIKA and MAIER FENSTER

11                      Junior Party  
12                      (Patent 6,233,484),

13                              v.

14               MORTON M. MOWER

15                      Senior Party  
16                      (Application 10/053,750).  
17               \_\_\_\_\_

18               Patent Interference No. 105,765 (SCM)  
19               (Technology Center 3700)  
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